

REMARKS

Claims 1-3 and 7-9 are pending in this application. By previous amendment, claims 5-6 and 10-25 were cancelled without disclaimer or prejudice. By this response, claims 1, 7 and 9 are amended, and claim 4 is cancelled. Care has been exercised to avoid the introduction of new matter. Applicant notes that the previously indicated allowability of claims 6-9 is withdrawn in view of the newly uncovered patent to van Duynhoven (US patent 3,963,229).

The objection to claim 7 is noted. Responsive thereto, claim 7 is amended by this Response to add a period at the end. Claim 9 is amended to provide language consistent with the other claims.

The Rejections Based Upon Conventional Art

Claims 1-2 and 7 stand rejected under 35 USC Section 102 (b) as being anticipated by van Duynhoven (US patent 3,963,229). The Examiner relies upon the van Duynhoven patent as disclosing two fingers (5,6) arranged for holding a line of yarn. At least one of the fingers is made from a metal such as aluminum. The Examiner also relies upon van Duynhoven for disclosing the use of at least one stationary magnet (1) and spring structure 7 as constituting the recited rotating structure of claim 1.

Claims 3-4 and 8 stand rejected under 35 UCS Section 103 (a) as being unpatentable over van Duynhoven in view of Watkins (US patent 5,430,968). The

Examiner relies upon Watkins as disclosing a spring bias means, which moves a rotating structure. The Examiner reasons that have been obvious to provide the van Duynhoven mechanism with a spring bias as disclosed by Watkins for the purposes of orienting the arm to a desired position. Van Duynhoven is also relied upon as disclosing a stop 9 for finger 6.

Claim 9 stands rejected under 35 USC Section 103 (a) as being unpatentable over van Duynhoven as modified by Watkins as applied to claim 8 and further in view of Vickery (US patent 5,771,624). The Examiner relies upon the Vickery patent as disclosing a line release with a bite alarm.

Arguments

All the aforementioned rejections based upon the conventional art are respectfully traversed on grounds that no combination of conventional art discloses each and every element of independent claim 1. In particular, there is no suggestion that the entire two-fingered arrangement in the closed position is rotated responsive to line tension. Nor is there any suggestion that one of the fingers is pulled away from the other by a permanent stationary magnet. Also, none of the devices cited by the examiner use a stop to separate the fingers.

It should be understood that in Watkins a spring bias mechanism causes the two fingers (66 and 75) to rotate with respect to each other. It is the spring bias of Watkins, et al. that pulls the two fingers apart. In contrast the present invention uses line tension to cause both fingers to move together only to be separated through the actions of a stop on one of the fingers and the effects of a stationary permanent magnet on the other. The spring is used to set the tension level necessary to trip the mechanism and release the line.

Likewise, in the van Duynhoven device there is no rotation of the fingers in the closed position. Rather, the spring structure 7 naturally forces the two fingers apart if not overcome by the operation of two electromagnets. It should be understood that both of the magnetic structures in the van Duynhoven device are electromagnets, requiring external power sources so as not to be suitable for a

fishing reel. The ferromagnetic disk 11 is relied upon as being easily influenced by an electromagnet (12, 13) so that the two fingers (5, 6) are held together when the electromagnet is activated. There is no stationary permanent magnet in the device of van Duynhoven. Also, it is the spring action that draws the fingers of van Duynhoven apart, not the electromagnets, or line tension.

In distinct contrast to the cited examples of conventional art, it is the line tension that causes the entire finger assembly of the present invention to begin movement so that two fingers are rapidly separated through the action of a stop on one finger and a permanent stationary magnet acting to pull the other (metallic) finger away from the first. None of the examples of conventional art cited by the examiner operates to move both fingers in the closed position so as to open them.

As already stated, the van Duynhoven device is inappropriate for the fishing line reel of the present invention. van Duynhoven requires an external power source to operate the electromagnets. This device was designed to be used in an industrial complex handling yarn, and designed to hold a line so tightly that it could be easily cut, or even cut by the action of the two jaws (1, 2). The operating concept and purpose of the van Duynhoven patent is entirely distinct from that of the present invention.

Accordingly, it would not be appropriate to combine the teachings of the van Duynhoven with those of Watkins, which is directed to a fishing line holder. One

skilled in the art of fishing line triggering devices and alarms would not have been inspired to refer to the teachings of a weaving machine (van Duynhoven). Also, the additional spring bias of the Watkins patent would be entirely unnecessary in van Duynhoven since there is already a spring bias mechanism (spring 7) build as part of the van Duynhoven mechanism. The arms (5 ,6) of the van Duynhoven device are already properly oriented, and so would need no additional spring to accomplish this. Further, there is no indication that the entire assembly of van Duynhoven are to be rotated with the fingers (5,6) in the closed position.

Spring 22 of the present invention is used to set the tension, which determines that amount of force on the fishing line that will cause the two fingers to rotate and release the line. This is because the spring can be adjusted very finely to allow a very slight amount of tension to rotate the fingers. As a result the device can be set to be especially sensitive. Likewise, the spring can be adjusted so that a much higher level of force is needed to cause a rotation of the two fingers. It is the rotation of both fingers and the stopping of one finger with the drawing of the other finger to a stationary permanent magnet that provides the quick and effective release of the fishing line. None of this operation if found in the cited examples of conventional art.

CONCLUSION

Based upon the aforementioned comments and amendments, it is urged that Claims 1 – 3 and 7 – 9 are in condition for allowance, as is the remainder of the subject patent application. Favorable reconsideration is respectfully requested.

Should the Examiner have any questions, comments, or suggestions, or should issues remain, he is respectfully requested to contact the undersigned by telephone for a prompt and satisfactory resolution.

Respectfully submitted,
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